

New York City: Local Law 77

City ordinance requires that agency-owned and contracted equipment have emission reduction features.

Mayor Bloomberg signed Local Law 77 in December 2003.

“The Council finds that air quality is a concern in all parts of New York City, as well as in Lower Manhattan, particularly since the City suffers from some of the highest asthma rates in the country. Therefore, the Council finds that it is in the best interest of the health of our City’s residents, workers, and schoolchildren for the City to use ultra low sulfur diesel fuel and the best available technology for reducing the emissions of pollutants in its diesel-powered nonroad vehicles in all areas of the City, in addition to Lower Manhattan.”

<i>Location</i>	<i>Effective Date</i>	<i>City owned, operated or leased non-road vehicles</i>	<i>Public works contract or subcontract</i>	<i>Requirement</i>
Lower Manhattan	June 19, 2004	✓	✓	1. Ultra low sulfur fuel 2. Best available technology
City-wide	Dec. 19, 2004	✓	✓	Contract must require use of ultra low sulfur fuel
City-wide	June 19, 2005	-----	Contracts over 2 million	Contract must require use of: 1. Best available technology 2. Ultra low sulfur fuel
City-wide	Dec. 19, 2005	-----	All contracts	1. Best available technology 2. Ultra low sulfur fuel

Important Waivers

1. An agency can make a finding that ultra low sulfur fuel with 15-30 ppm is not available in quantities sufficient to satisfy the requirements of the contract. If they make this finding, it expires after 60 days. Even with this finding, the agency must use whatever quantity of ultra low sulfur fuel is available.
2. A city agency may make a finding that best available technology does not exist. If the Commissioner approves of the finding, the agency or contractor must use whatever technology is available and appropriate.

Proposed non road engine technology specifications

<i>Equipment used in city construction</i>	<i>Engine Size</i>	<i>Proposed Best Available Technology (BAT)</i> Rule proposed June 2003, not adopted
Caterpillar 966L Wheel Loader	-----	1. Diesel particulate filter 2. Ultra low sulfur fuel
What if the diesel particulate filter that must be installed is not EPA or CARB approved?		Install the particulate filter and collect data on its operation
All other non-road vehicles	50 – 200 horsepower	PuriNOx: a fuel blend manufactured by Lubrizol http://www.lubrizol.com/PuriNOx/default.asp
All other non-road vehicles	Above 200 horsepower	1. Platinum Plus® fuel catalyst manufactured by Clean Diesel Technologies or its functional equivalent http://www.cdti.com/platinumplus.htm 2. Diesel oxidization catalyst manufactured by Clean Diesel Technologies or its functional equivalent
What happens if the required BAT is technologically incompatible with the engine?		Install a diesel oxidization catalyst

More information about the New York City program

- Local Law 77 is found at <http://www.nycouncil.info/>.
- New York City Department of Environmental Protection News Release: <http://www.nyc.gov/html/dep/html/news/lowsulfur.html>.
- Public Notice on Proposed Rules of the City of New York Rules Concerning the Use of Ultra-Low Sulfur Fuel and Emissions Control Technology in Non-Road Vehicles Used in City Construction: <http://www.nyc.gov/html/dep/html/news/lowsulfur.html>